

From: Estrada, Linda

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To: TTAB EFiling

CC:

Subject: Application Nos. 78240383 and 78240385

Enclosed for filing in connection with the referenced applications, please find the undersigned examining attorney's Motion to Consolidate the appeals. The applicant's appeal in both cases raise identical issues of law and fact applicable to both applications. The examining attorney's brief is due to the TTAB on April 2, 2006.

Respectfully submitted,

/Linda M. Estrada/  
Trademark Attorney, Law Office 104  
US Patent & Trademark Office  
(571) 272-9298

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Attachment Information:

Count: 1

Files: Motion to Consolidate.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CONVERSIVE, INC. : BEFORE THE  
Trademark: ASSISTED RESPONSE AGENT and : TRADEMARK TRIAL  
ASSISTED RESPONSE  
Serial Nos: 78240383 and 78240385 : AND  
Attorney: Kent E. Baldauf, Jr., : APPEAL BOARD  
Address: THE WEBB LAW FIRM : ON APPEAL  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1845

**MOTION TO CONSOLIDATE**

The applicant has proposed registration of U.S. Application No. 78240383 for the mark ASSISTED RESPONSE AGENT and U.S. Application No. 78240385 for the mark ASSISTED RESPONSE. The undersigned examining attorney has refused registration of both applications on the grounds that the proposed marks are merely descriptive under Section 2(e)(1) of the Trademark Act. The applicant has filed a timely notice of appeal of the final refusals issued pursuant to Section 2(e)(1) of the Trademark Act.

The examining attorney notes that the issues in question are identical in both applications. As the applicant has filed *ex parte* appeals in both applications and the cases involve common issues of law and fact, the examining attorney hereby moves that the referenced appeals be consolidated for efficiency and ease of prosecution. TMBP Section 1214.

Respectfully submitted,

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